



COMMODITY FUTURES TRADING COMMISSION

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Division of
Enforcement

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May 3, 2018

BY ECF AND MAIL

The Honorable Jack B. Weinstein
United States District Court
Eastern District of New York
225 Cadman Plaza East
New York, New York 11201

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ **MAY 08 2018** ★

BROOKLYN OFFICE

Re: *Commodity Futures Trading Commission v. Patrick K. McDonnell and CabbageTech, Corp. d/b/a Coin Drop Markets, No. 18-CV-00361 (JBW)(RLM)*

Dear Judge Weinstein:

I am an attorney in the Division of Enforcement of the Commodity Futures Trading Commission (the "Commission") and represent the Commission in the captioned matter.

Plaintiff respectfully requests a continuance of the evidentiary hearing currently scheduled for June 5, 2018, to July 9, 2018, or any date thereafter that is convenient to the Court, with witness lists, descriptions of proposed testimony, and exhibits to be exchanged 10 days earlier consistent with the existing order. Mr. McDonnell consents to this request.

This request is prompted in part because of delays in discovery (*see, e.g.*, ECF 46, 55, 60), as well as an agreement at yesterday's settlement conference before Chief Magistrate Judge Mann to adjourn a previously noticed deposition of Mr. McDonnell (*see* ECF 66) due to Mr. McDonnell's continuing efforts to locate counsel. In addition, the request is prompted in part by the parties' intent to continue settlement discussions and update Chief Magistrate Judge Mann as directed. *See id.*

Respectfully submitted,

/s/ David W. Oakland

David W. Oakland

cc: Patrick K. McDonnell (by email)
Hon. Roanne L. Mann (by ECF only)

*motion granted -
Hearing is rescheduled
to July 9, 2018 at 10:30
A.M. So asked
Jack B. Weinstein
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